IN THE HIGH COURTOF UTTARANCHAL AT NAINITAL

Habeas Corpus Writ Petition No. 3 of 2006

Bhagwan Singh Karki,
S/o Late Sri Budh Singh Karki,
R/o Village and Post Kandoli,
District Dehradun. …….. Petitioner

Versus

1. Union of India,
through Secretary,
Directorate of Public Grievances and Training,
2nd Floor, Sardar Patel Bhawan, Sansad Bhawan,
New Delhi.
2. Director, Research and Analysis Wing,
CGO Complex, Lodhi Road,
New Delhi.
3. Secretary,
Ministry of Home Affairs,
Union of India, North Block,
New Delhi. ……. Respondents

Mr. M.C. Pant, Advocate for the petitioner.

JUDGMENT

Coram: Hon. Rajeev Gupta, C.J.
Hon. P.C. Verma, J.

1. Petitioner Bhagwan Singh Karki, father of the alleged missing person Surendra Singh Karki, has filed this petition for the following reliefs:

> "A. Issue a writ, order, rule or in the nature of Habeas Corpus to direct the respondents to produce the Corpus Sri Surendra Singh Karki before this Hon'ble Court at the earliest.
>
> B. Issue a writ, order, rule of direction in the nature of award compensation/damages to the petitioner's family at least one crore on account of their arbitrary malicious negligence act and inhuman act.
>
> C. Issue any other rule, order or direction which this Hon'ble Court may deem fit and proper in the circumstances of the case.
>
> D. Award the cost of the writ petition to the petitioner."

2. Though the petitioner alleges that his son Surendra Singh Karki was selected by the second respondent in the year 1987 for being sent on some secret mission, no material whatsoever has been filed in support of the above averment.

3. That apart, though the petition has been filed as ‘Habeas Corpus Petition’ but the petition does not contain any specific allegation against any of the respondents in regard to illegal detention of his son.

4. In this view of the matter, the ‘Half-Baked’ petition filed as Habeas Corpus Petition with vague averments and without any supporting material is liable to be dismissed.

5. The petitioner, however, shall be at liberty to file another properly constituted petition as and when material in support of his averments is available with him.

6. With the above liberty to the petitioner, the petition stands disposed of.

(P.C. Verma, J.) **(Rajeev Gupta, C.J.)**
17.02.2006 17.02.2006

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